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7 Attorney for Plaintiff  
8 Technology Licensing Company Inc.

\*E-FILED - 1/29/09\*

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11  
12  
13 TECHNOLOGY LICENSING CO. INC.,

14 Plaintiff

15 vs.

16 RADIO SHACK CORPORATION

17 Defendant

CASE NO. CV 08 3800 RMW

**REQUESTS AND ~~PROPOSED~~ ORDER  
FOR CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE**

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19  
20 **Requests for Continuance of Initial Case Management Conference**

21 Plaintiff TECHNOLOGY LICENSING CO. INC. ("TLC") respectfully requests a  
22 continuance of the Initial Case Management in this matter.  
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24 The Initial Case Management Conference is currently set for January 30, 2009 at 10:30  
25 AM.

26 This Request is being supported by a Declaration from Kao Lun, attorney for  
27  
28



1 America Action Inc. which sells to Defendant, Radio Shack Corporation, the DVD products  
2 which are in dispute. The Declaration states in part:  
3  
4

5 Radio Shack is the retailer of DVD players supplied by America Action Inc.

6 America Action is a defendant to TLC in the lawsuit: *TLC v. America Action*  
7 *Inc.*, Civil Action No. 3:08-cv-3803.

8 DVD players are the devices which are alleged to infringe the patent made  
9 subject of this lawsuit, as well as the lawsuit *TLC v. America Action Inc.*

10 The settlement agreement between TLC and America Action Inc. has been  
11 prepared and sent to Taiwan for execution by the President of America Action  
12 Inc.

13 The settlement agreement has not been signed by the President of America Action  
14 because of Chinese holidays.

15 It is my understanding that once TLC and America Action have signed the  
16 settlement agreement and America Action has complied with the settlement terms  
17 (i.e., transfer of appropriate funds), the lawsuit *Technology Licensing Co. v. Radio*  
18 *Shack* will be dismissed.

19 It is anticipated that *TLC v. America Action Inc.* will settle within the next 2 weeks, and  
20 when settled, the subject lawsuit will be dismissed.

21 TLC respectfully seeks a continuance of the Initial Case Management Conference to  
22 February 13 2009 at 10:30 AM, or to whatever date and time thereafter as set by the Court.

23 This is the second request for a time modification of the Initial Case Management in this  
24 matter.

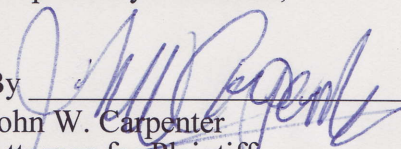
25 The present requested time modification would have no material effect on the schedule for  
26 this case.  
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1 Accordingly, it is hereby requested that the Initial Case Management Conference in this  
2 matter by continued to **February 13, 2009 at 10:30 AM.**, or to whatever date and time thereafter  
3 as set by the Court.

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8 DATED: January 29, 2009

Respectfully submitted,

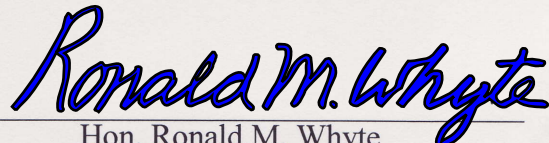
9 By   
10 John W. Carpenter  
11 Attorney for Plaintiff  
12 Technology Licensing Company, Inc.

13  
14 **ORDER**

15 PURSUANT TO PLAINTIFF'S REQUEST AND UPON GOOD CAUSE SHOWN, IT  
16 IS SO ORDERED.

17 Dated 1/29, 2009

18 **\*No further continuances.**

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Hon. Ronald M. Whyte  
United States District Judge



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Attorney for Plaintiff  
Technology Licensing Company Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TECHNOLOGY LICENSING CO. INC.,

Plaintiff

vs.

RADIO SHACK CORPORATION

Defendant

CASE NO. CV 08 3800 RMW

**DECLARATION OF KAO LU IN  
SUPPORT OF PLAINTIFF'S MOTION  
FOR CONTINUANCE OF INITIAL CASE  
MANAGEMENT CONFERENCE.**

**Declaration of Kao Lu in Support of Plaintiff's Requests for Continuance of Initial  
Case Management Conference**

I, Kao Lu, do hereby declare:

1. I represent America Action, Inc. in the law suit captioned: *TLC v. America Action Inc.*, Civil Action No. 3:08-cv-3803. My business address is 1425 E. Darby Road, Havertown, Pa. 19083. The facts set forth herein are within my personal knowledge and I would be competent to testify thereto if called as a witness in the case. I make this declaration in support of Plaintiff's Requests for Continuance of Initial Case Management Conference, filed concurrently herewith.

DECLARATION OF KAO LU  
CV 08-3800



2. Radio Shack is the retailer of DVD players supplied by America Action Inc.

3. America Action is a defendant to TLC in the lawsuit: *TLC v. America Action Inc.*, Civil Action No. 3:08-cv-3803.

4. DVD players are the devices which are alleged to infringe the patent made subject of this lawsuit, as well as the lawsuit *TLC v. America Action Inc.*

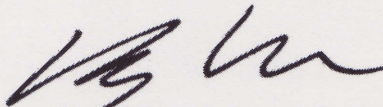
5. The settlement agreement between TLC and America Action Inc. has been prepared and sent to Taiwan for execution by the President of America Action. Inc.

6. The settlement agreement has not been signed by the President of America Action because of Chinese holidays.

7. It is my understanding that once TLC and America Action have signed the settlement agreement and America Action has complied with the settlement terms (i.e., transfer of appropriate funds), the lawsuit *Technology Licensing Co. v. Radio Shack* will be dismissed.

8. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 28 day of January, 2009 at Havertown, Pa.



Kao Lu